

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DC3 ENTERTAINMENT, LLC, a Washington  
limited liability company,

Plaintiff and Counterclaim Defendant,

v.

JOHN GALT ENTERTAINMENT, INC., a  
California corporation; DAVID  
KERSHENBAUM and TIMMI DEROSA  
KERSHENBAUM, husband and wife and the  
marital community composed thereof,

Defendants and Counterclaim Plaintiffs.

JOHN GALT ENTERTAINMENT, INC., a  
California corporation; DAVID  
KERSHENBAUM and TIMMI DEROSA  
KERSHENBAUM, husband and wife and the  
marital community composed thereof,

Third-Party Plaintiffs,

v.

JONATHAN PHELPS and ESTHER PHELPS,  
husband and wife and the marital community  
composed thereof,

Third-Party Defendants.

CASE NO. C04-2374C

MINUTE ORDER

1 The following Minute Order is made by direction of the Court, the Honorable John C.  
2 Coughenour, United States District Judge:

3 This matter comes before the Court on its recent disposition of DC3's and the Phelps's' motion  
4 for summary judgment on John Galt's and the Kershenbaums' Contract claims (Order (Dkt. No. 252));  
5 the now-pending motion for summary judgment on the Kershenbaums' Employment claims; and the fact  
6 that trial in this matter is set to commence on Monday, February 6, 2006.

7 The Court hereby STRIKES the trial date of February 6, 2006 for the reasons that DC3 and the  
8 Phelps's waited until the last possible date (the November 23, 2005 dispositive motions deadline) to file  
9 their exceedingly complex motions for summary judgment and that the Court's rulings on these motions  
10 should be fully considered before the parties proceed to trial.

11 The parties are therefore ORDERED to appear in Court on Tuesday, February 7, 2006 at 9:00  
12 a.m. for a Status Conference in this matter and to set a new trial date. The parties should be prepared to  
13 discuss the number of days that will be needed for trial in light of the Court's recent disposition of DC3's  
14 and the Phelps's' motion for summary judgment on John Galt's and the Kershenbaums' Contract claims  
15 and the Court's forthcoming Order on DC3's and the Phelps's' motion for summary judgment on the  
16 Kershenbaums' Employment claims.

17 Further, the parties are hereby ORDERED back into mediation under Local Civil Rule 39.1. The  
18 Court will set a deadline for a report on the results of such mediation at the Status Conference.

19 The now-pending motions in limine are hereby STRICKEN. Motions in limine may be refiled in  
20 accordance with the new trial date.

21 Finally, the parties are reminded that discovery will remain CLOSED in this case.

22 DATED this 26th day of January, 2006.

23 BRUCE RIFKIN, Clerk of Court

24  
25 By /s/ C. Ledesma  
Deputy Clerk